

Categorical Exclusion Determination and Decision Record for Gaps Corner Salvage

CE #OR115-08-33

Description of Proposed Action

A request was made by an adjacent landowner for the removal of two blown down trees, the results of a recent snow and wind storm. The blowdown fell on the adjacent landowner's property and the landowner asked to remove the two trees. Both trees are within a riparian buffer (two intermittent streams in the project area); a portion of the tree in section 3 would be left on-site, the entire tree in section 11 fell across the property line and would be removed.

The project is located on BLM-managed lands in the southeast ¼ of the southeast ¼ of section 3 and the northwest ¼ of the northwest ¼ of section 11, Township 36 South, Range 2 East, Willamette Meridian, Jackson County, Oregon (see Map). The trees fell onto private property in the northeast ¼ of the northeast ¼ of section 10, Township 36 South, Range 2 East, Willamette Meridian, Jackson County, Oregon.

Plan Conformance Review

This proposal was not scoped and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995);
- *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007); and
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937, Federal Land Policy and Management Act of 1976, Endangered Species Act of 1973, Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990 (as amended), and Archaeological Resources Protection Act of 1979.

This proposal is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to "Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources" (USDI 1995, p. 72).

Categorical Exclusion Determination

The proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 C(2). This section allows for “Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads.”

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in 516 DM 2, Appendix 2, must be reviewed for applicability. After review, the BLM determined no extraordinary circumstances exist that would cause the proposed action to have a significant environmental effect. The action will not require additional analysis.

Project Design Features

1. Motorized vehicles will not operate on BLM-administered lands.
2. Logs will be winched/lined to the adjacent landowner’s property.
3. Only trees which have fallen across the property line will be removed.
4. Large coarse woody debris of 120 linear feet (16" X 16') per acre will be left on-site.
5. Slash will be lopped and scattered.
6. Chainsaw use will be seasonally restricted from March 1 through June 30 within 200 feet of the BLM boundary in the NE¹/₄NE¹/₁₆ of section 10,T36S, R2E.

Contact Person

For additional information concerning this CE review, contact Dave Orban, Project Leader, at 541-944-0112.

NEPA Categorical Exclusion Review

Proposed Action: The removal of two blown down trees.

Department of the Interior Manual 516 2.3.A(3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may: Department of the Interior Manual 516 2.3.A(3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

1. *Have significant impacts on public health or safety.*

☐ Yes ☒ No

Initial De Remarks:

2. *Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.*

☐ Yes ☒ No

Initial De Remarks:

3. *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

☐ Yes ☒ No

Initial De Remarks:

4. *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

☐ Yes ☒ No

Initial De Remarks:

5. *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

☐ Yes ☒ No

Initial De Remarks:

6. *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

☐ Yes ☒ No

Initial De Remarks:

7. *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*

☐ Yes ☒ No

Initial De Remarks:

8. *Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.*

Plants ☐ Yes ☒ No Initial MW Remarks:

Animals ☐ Yes ☒ No Initial DR Remarks:

Fish ☐ Yes ☒ No Initial LZ Remarks:

9. *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

☐ Yes ☒ No

Initial DR Remarks:

10. *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

☐ Yes ☒ No

Initial DR Remarks:

11. *Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).*

☐ Yes ☒ No

Initial DR Remarks:

12. *Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).*

☐ Yes ☒ No


Initial MW Remarks:

Decision

Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required. It is my decision to implement the removal and sale of blown down trees as described above.

Decision Rationale

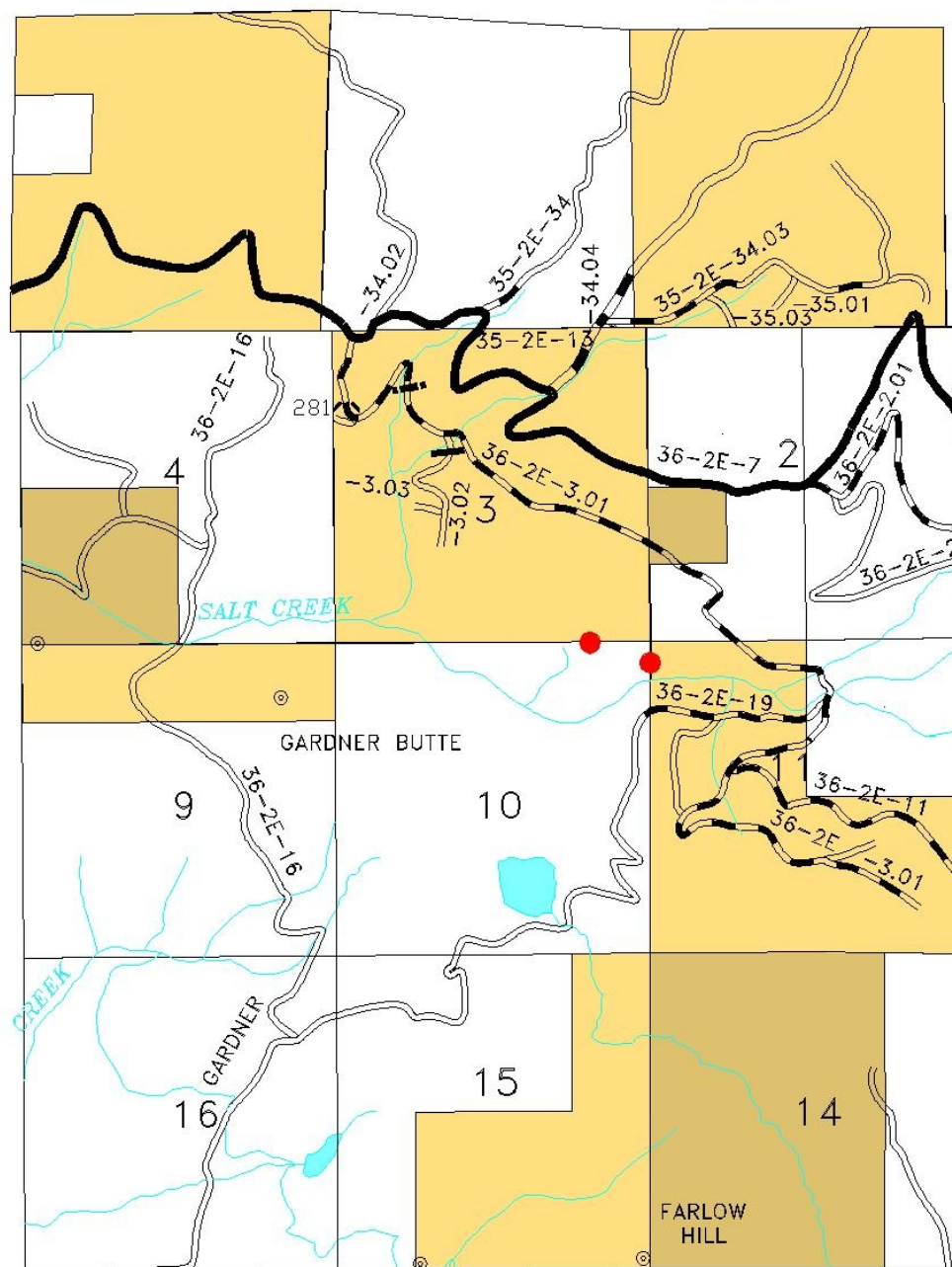
The proposed action has been reviewed by Butte Falls Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.

 July 10 2008
Christopher J. McAlear Date
Acting Field Manager
Butte Falls Resource Area

Administrative Review or Appeal Opportunities

This decision is effective upon signing by the authorized officer and shall remain in effect pending any protest. The action is subject to protest under 43 CFR section 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

GAPS CORNER SALVAGE **T.36S.,R.2E.,Sec.3,10,11**



- = Salvage Area
- = BLM
- = STREAM

Categorical Exclusion Reviewers:

| Name | Title | Date | Initials |
|--------------------------|------------------------------|---------|-----------|
| Jean Williams | NEPA Coordinator | 7/10/08 | RW |
| Marcia Wineteer | Botanist | 6/26/08 | mw |
| Dave Roelofs | Wildlife Biologist | 6/23/08 | DR |
| Steve Liebhardt | Fisheries Biologist | 7/8/08 | SL |
| Shawn Simpson | Hydrologist | 7/10/08 | SS |
| Ken Van Etten | Soil Scientist | 6/17/08 | KBV |
| Leanne Mruzik | Fire/Fuels Specialist | 7/10/08 | LB for LM |
| John McNeel | Cultural Resource Technician | 6/30/08 | JM |
| Randy Bryan | Engineer | 7/10/08 | RRB |
| Trish Lindaman | Outdoor Recreation Planner | 7/10/08 | TL |